

<b>Applicant</b>	837 NW 1 <sup>st</sup> Ave., LLC	
<b>Request</b>	Site Plan Level III Review - Modification of required yards	
<b>Location</b>	As shown on the attached location map as <b>Exhibit 1</b> .	
<b>Legal Description</b>	<u>Progresso</u> . Block 260, Lots 5 and 6. P.B. 2, P. 18 (D).	
<b>Property Size</b>	6,750 sq. ft.	
<b>Zoning</b>	RMM-25	
<b>Existing Land Use</b>	Single-family residence	
<b>Future Land Use Designation</b>	Northwest Regional Activity Center (NW-RAC)	
<b>Comprehensive Plan Consistency</b>	Future Land Use Element II. Permitted Uses -NW-RAC III. Density and Intensity Standards	
<b>Other Required Approvals</b>	Final DRC	
<b>Applicable ULDR Sections</b>	47-23.11 Modification of Yards 47-25.3 Neighborhood Compatibility	
<b>Setbacks/Yards</b>	<b>Required</b>	<b>Proposed</b>
Front (e)	25'	75'
Rear (w)	20'	20'
Side (n)	14' 4" (half the height)	10'
Side (s)	14' 4" (half the height)	10'
<b>Lot Density</b>	3.87 units (@ 25 d.u./acre)	3 units
<b>Lot Size</b>	5,000 sq. ft.	6,750 sq. ft.
<b>Lot Width</b>	50'	50'
<b>Building Height</b>	55'	28' 8" (overall height: 34' 0")
<b>Structure Length</b>	200'	40'
<b>Floor Area</b>	750' each d.u.	1,110 sq. ft.
<b>VUA Landscaping</b>	435 sq. ft.	> 435 sq. ft.
<b>Landscaping Lot Coverage</b>	35% minimum (2,362.5 sq. ft.)	40% (2,720 sq. ft.)
<b>Open Space</b>	N/A	N/A
<b>Parking</b>	6 spaces (@ 2.0 spaces/d.u.)	6 spaces
<b>Notification Requirements</b>	Sign notice required.	
<b>Action Required</b>	Approve, approve with conditions, or deny.	
<b>Project Planner</b>	<b>Name and Title</b>	<b>Initials</b>
	James Cromar, Planner III	
<b>Authorized By</b>	Greg Brewton, Acting Deputy Director	
<b>Approved By</b>	Marc LaFerrier, AICP, Director of Planning and Zoning	

At the July 20, 2005 meeting, the Planning and Zoning Board deferred this item to the August 17, 2005 agenda.

**Request:**

Pursuant to Section 47-23.11., the applicant is requesting Site Plan Level III approval for Modification of required yards. The required side yard is half the height, which equals 14' 4". The request is for a modification to ten feet (10') for both side yards.

**Property/Project Description:**

The applicant is proposing the construction of a three-story, three-unit multi-family residence on the site of an existing one-story single-family residence. The property is located in the NW-RAC, one block west of North Andrews Avenue. The area surrounding the project site has an inconsistent character and includes a variety of building types and uses. The project sits on a city block with one-story single-family and multi-family residences and vacant lots. Across the street are businesses, auto shops and multi-family residential buildings, which are primarily single-story buildings with the exception of one two-story multi-family residential structure directly across the street.

The applicant has proposed a structure that is set back toward the rear of the lot. The required parking is in front of the building with access from the street since there is no alley. The proposed site layout is a new pattern that does not occur on adjacent properties.

**Parking and Traffic:**

The proposed project does not generate sufficient traffic volumes to justify a formal traffic impact analysis. The applicant has provided six (6) parking spaces on site, which meets the requirements for the three-unit structure.

**Landscaping:**

The proposed landscaping meets the ULDR requirements.

- The applicant is providing VUA landscaping that fulfills the minimum 20% requirement (20% of 2,166 sq. ft. VUA = 435 sq. ft.).
- The project meets the requirement of two and one-half feet of perimeter landscaping.
- The ULDR requires one (1) street tree, one (1) tree for the VUA area, and three (3) additional trees and 18 shrubs elsewhere on the lot. The application exceeds the requirements, providing a total of 14 trees and 220 shrubs for the project.

**Adequacy and Neighborhood Compatibility:**

The applicant has provided point-by-point narratives for Adequacy and Neighborhood Compatibility (**Exhibit 2**). Staff concurs that the applicant has complied with the requirements.

**Yard Modifications:**

This project requires Site Plan Level III approval for modification to required yards. ULDR Section 47-23.11.A.3 sets out four (4) criteria for the Planning and Zoning Board to change

August 17, 2005

Page 3

minimum yard requirements. The concluding lines of Section 47-23.11.A state that the Board “may change such minimum yard requirements, provided, however, that the following additional criteria for such approval are met.”

The applicant has provided a point-by-point narrative describing the project in relation to the criteria (**Exhibit 2**). The criteria generally refer to the location of the proposed structure on the site, to the relation of the proposed structure to adjacent properties. Staff and the applicant concur that this project does not meet the criteria of continuity of architectural features with adjacent properties. The applicant states that this project “will help to set standards for future projects” in the area, and will meet the criteria for continuity of urban scale (height, proximity to street front) when nearby properties redevelop.

<b>Building (Located)</b>	<b>Minimum Allowed</b>	<b>Proposed</b>	<b>Modification Requested</b>
Front (e)	25’	75’	N/A
Side (n )	14’ 4” (half the height)	10’	4’ 4”
Side (s )	14’ 4” (half the height)	10’	4’ 4”
Rear (w )	20’	20’	N/A

#### **Comprehensive Plan Consistency:**

The property is located within the Northwest-RAC and is consistent with the Comprehensive Plan.

The Future Land Use Element of the Comprehensive Plan says, “The Northwest-RAC provides the ultimate flexibility for redevelopment activities and for preserving single family residential neighborhoods within the area.”

Although the applicant proposes replacing a single-family residence with a multi-family residence, the proposed project is consistent with the Density and Intensity Standards of the Future Land Use Element. Since the project site is zoned RMM-25, the proposal is consistent with the following statement:

“Any arrangement of dwelling units on a parcel of land designated for residential use is compatible with the City’s Land Use Plan as long as the maximum number of dwelling units permitted within the parcel is not exceeded. The distribution of units will be determined by zoning of the parcel and other restrictions imposed by the ULDR.”

-- *City of Fort Lauderdale Comprehensive Plan*, Chapter 2 – 47  
(Volume I - 78)

#### **Prior Reviews:**

The Development Review Committee reviewed this proposal on March 22, 2005. The applicant has addressed all comments.

**Staff Determination:**

Pursuant to Sec. 47-23.11.A.3., staff finds that the proposed project is inconsistent with the adjacent properties in regards to the continuity of architectural features and the continuity of urban scale, specifically the height and proximity to street front. Staff also finds that the project does not encourage public pedestrian interaction between the proposed development and the public street.

**Planning & Zoning Board Review Options:**

1. If the Planning and Zoning Board determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for site plan level III review, the Planning and Zoning Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development or use, the issuance of the site plan level III permit.
2. If the Planning and Zoning Board determines that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall deny the site plan level III permit.

**Should the Board approve the proposed development, staff proposed the following conditions:**

1. The proposed development is in an area that has the potential to generate impacts from construction debris due to high winds and close proximity to existing uses. As such, in order to ensure that construction debris remains on site and does not become a nuisance to neighboring properties, prior to application for a building permit, a Construction Debris Mitigation Plan shall be submitted to include but not be limited to the requirements of the Construction Debris Mitigation Policy as attached, and as approved by the City's Building Official.
2. All construction will require approval from all pertinent environmental review agencies.
3. Site plan approval shall be valid as provided in ULDR Section 47-24.1.M.
4. Final DRC approval.

**City of Fort Lauderdale**  
**Building Services Division Construction Debris Mitigation Policy**

Section 24-11 Construction Sites, of the City of Fort Lauderdale Code of Ordinances is for the purpose of controlling construction debris. In accordance with the Code, any property under construction is required to contain construction debris on the subject property site. In an effort to ensure that construction debris does not spillover onto adjacent sites, the Building Services Division will require the following mitigation measures as minimum conditions to prevent the spillover of construction debris onto adjacent properties. These measures are to be included in a Construction Debris Mitigation Plan, which will be submitted to the Building Official, prior to the issuance of a building permit for the subject project. Additional measures may be required to ensure compliance with the Code, as deemed necessary by the Building Official.

1. Extermination of the site and buildings prior to demolition. A certificate certifying that the site has been exterminated is required to obtain a demolition permit.
2. Wet demolition of existing buildings is required to minimize dust.
3. Install and maintain a 6' screening (wind blown) on all ground level perimeter site fencing to minimize dust and debris blowing out to surrounding buildings.
4. Adherence to all state and county regulations with regards to the handling of asbestos in existing buildings.
5. Provide for construction employee parking and construction staging areas, to be reviewed and approved by the City's Engineering Department, and as necessary the City's Zoning and Parking Divisions.
6. The Building Division will require measures to minimize the airborne concrete when pouring. Such measures may include, but are not limited to, use of a wet saw when cutting concrete, wind screens around saws on concrete work deck; wind screens on end of concrete pump hose, etc.
7. The Building Division will require measures to minimize airborne debris from all open floors, including but not limited to, a requirement that each floor undergoing construction activity be wrapped to control the spillover of concrete and dust onto adjacent properties.
8. Sweeping compound will be required to minimize dust when sweeping the open floors of the building.
9. Broom cleaning of adjacent streets and sidewalks is required on a daily basis.
10. A hot line telephone number for the subject property is required to address issues as they arise.
11. On site visits by City Building Inspectors and other building officials will occur, as needed, to ensure that the concerns of adjacent property owners regarding construction debris and noise are being properly and timely addressed. The costs incurred for such inspections will be borne by the applicant